

# **Kingsburg Planning Commission**

1401 Draper Street, Kingsburg, CA 93631

Telephone: 559-897-5328 Fax: 559-897-6558

Chairperson DR. PAUL KRUPER

Vice Chairperson

**COMMISSIONERS** 

DR. JASON ROUNTREE JEREMY KINNEY TROY COZBEY BRUCE BLAYNEY CJ BROCK

Planning & Development Director GREGORY COLLINS

> Secretary MARY COLBY

# AGENDA KINGSBURG PLANNING COMMISSION APRIL 11, 2019 6:00 P.M. KINGSBURG CITY COUNCIL CHAMBER

1401 DRAPER STREET

1. Call to order - <u>Reminder for all Commissioners and Staff to speak</u>
<u>clearly and loudly into the microphones to ensure that a</u>
<u>quality recording is made of tonight's meeting. We ask that all those</u>

#### **NEXT RESOLUTION 2019-01**

**2. APPROVAL** of the September 13, 2018 minutes as mailed or corrected.

attending this meeting please turn off pagers and wireless phones.

- **PUBLIC COMMENTS -** Any person may directly address the Commission at this time on any item on the agenda, or on any item that is within the subject matter jurisdiction of the Commission. A maximum of five minutes is allowed for each speaker.
- 4. APPOINTMENT OF A NEW VICE CHAIRPERSON FOR THE KINGSBURG PLANNING COMMISSION
- 5. ACCEPT RESIGNATION OF JACK SHANTZ FROM THE PLANNING COMMISSION,
- 6. ADD USE TO THE HIGHWAY COMMERCIAL (CH) ZONE DISTRICT UNDER SECTION 17.60.010 OF THE MUNICIPAL CODE. GENERAL BUSINESS AND OFFICE USES INCLUDING, CUSTOMER SERVICE CENTERS AND CUSTOMER CALL CENTERS, IN WHICH GOODS, WARES AND MERCHANDISE ARE NOT COMMERCIALLY CREATED, SOLD OR EXCHANGED.
  - A. Presentation by Planning Director Greg Collins.
  - B. Commission Discussion
  - C. Adopt/Deny/Modify Resolution

# 7. REQUEST FOR A ONE YEAR EXTENSION FOR VESTED TENTATIVE MAP #6167, APPROVED IN MAY 2017. APPLICANT WEST STAR CONSTRUCTION.

- A. Presentation by Planning Director Greg Collins.
- B. Commission Discussion
- C. Adopt/Deny/Modify Resolution

# 8. FUTURE ITEMS

- A. Joint City Council/Planning Commission workshop on the North Kingsburg Specific Plan.
- 7. ADJOURN

KINGSBURG PLANNING COMMISSION REGULAR MEETING SEPTEMBER 13, 2018

**Call to order** – At 6:00PM The Kingsburg Planning Commission was called to order.

**Commissioners present** – Bullis, Shantz, Cozbey, Kruper and Kinney

**Commissioners Absent** – Rountree and Poyner

**Staff Present** – City Attorney Mike Noland and Planning Secretary Mary Colby

Others Present – City Council Liaison Bruce Blayney

**APPROVAL** Commissioner Cozbey made a motion, seconded by Commissioner Bullis to approve the minutes of the August 16, 2018 Planning Commission meeting as mailed. The motion carried by unanimous vote of those Commissioners present.

**PUBLIC COMMENTS** – There were no citizens present who wished to comment at this time.

PUBLIC HEARING—DEVELOPMENT AGREEMENT BETWEEN THE CITY OF KINGSBURG AND THE HOUSING AUTHORITY OF FRESNO COUNTY FOR UP TO A 60 UNIT MULTI-FAMILY SENIORS DEVELOPMENT LOCATED AT THE SOUTHWEST CORNER OF SIERRA STREET AND MADSEN AVENUE IN KINGSBURG, CALIFORNIA. APN:396-020-017

Open Public Hearing at 6:07 P.M.

City Attorney Michael Noland stated that presented is a development agreement addressing land use issues. This is final draft version with Fresno Housing Authority for a senior complex on property at the corner of Sierra & Madsen. City Attorney Michael Noland gave a brief background of the property and how the City acquired it. Fresno County recently expressed an interested in developing another senior complex along the lines of Marion Villas which they built a few years ago.

Commission Discussion -

Discussed: Possible number of units

**Parking** 

Underground CID easement

Green space

Need for parking spaces for community center

Shortage of green space for practice fields

Open for Public Comment – at 6:44pm - No Comments

Close Public Comment – 6:45

Continued Commission Discussion – Good project and proposal

Close Public Hearing – At 6:49PM

Commissioner Cozbey made a motion, seconded by Commissioner Kinney to determine that the project is exempt from the California Environmental Quality Act (CEQA) under the statutory exemption in Public Resources Code Section 21593.21 and 21159.23. The motion carried by unanimous vote of those Commissioners present.

KINGSBURG PLANNING COMMISSION REGULAR MEETING SEPTEMBER 13, 2018

Commissioner Bullis made a motion, seconded by Commissioner Cozbey to adopt Resolution 2018-12 as presented recommending to the City Council that it make the findings required by Section 17.90.080 of the Kingsburg Municipal Code and approve the Development between the City of Kingsburg and the Housing Authority of Fresno County ("Housing Authority"). The motion carried by unanimous vote of those Commissioners present.

## **FUTURE ITEMS -**

None discussed

**ADJOURN** – At 7:05PM Commissioner Bullis made a motion, seconded by Commissioner Kinney to adjourn the Kingsburg Planning Commission meeting. The motion carried by unanimous vote of those Commissioners present.

Submitted by

Mary Colby Planning Secretary



**Meeting Date**: 4-11-2019

**Agenda Item**: 6

#### PLANNING COMMISSION MEETING

REPORT TO:	PLANNING COMMISSION
REPORT FROM:	Greg Collins, Contract Planner REVIEWED BY:
	lition of Permitted Uses to the Highway Commercial District ED:Ordinance√ResolutionMotion Receive/File

# RECOMMENDED ACTION BY PLANNING COMMISSION

Pass Resolution No. 2019 - 01 adding medical offices, call centers, retail stores, colleges and trade schools to the permitted use list of the Highway Commercial (HC) district. The addition of these uses is subject to the following findings (set forth in Section 17.60.010 of the Municipal Code), which must be considered by the Planning Commission prior to adding each use to the list.

- 1. That the addition of the use to the list of permitted uses will be in accordance with the purposes of the district in which the use is proposed.
- 2. That the use has the same basic characteristics as the uses permitted in the district.
- 3. That the use can be expected to conform with the required conditions for the district.
- 4. That the use will not be detrimental to the public health, safety or welfare, or adversely affect the character of any district in which it would be located.
- 5. That the use will not create more vehicular traffic than the volume normally created by the uses permitted in the district.
- 6. That the use will not create more odor, dirt, smoke, noise, vibration, illumination, glare, unsightliness or any other objectionable influence than the amount normally created by any of the other uses permitted in the district.
- 7. That the use will not create any greater hazard of fire or explosion than the hazards normally created by any of the uses permitted in the district.

## **EXECUTIVE SUMMARY**

The Highway Commercial District is intended to be applied to areas along major highway entrances into Kingsburg where controlled access from the highway is afforded for the convenience of persons traveling along the highway and where access to the highway commercial lands is provided by off-ramps, frontage roads or channelized intersections.

Kingsburg's Highway Commercial District encompasses an area in the community (see attached map) that not only provides for uses that service the traveling and commuting public but also provides for various other uses such as retail sales of various products, private clubs and lodges and public utility structures, services and facilities. Because of the District's close location with Highway 99, the lands within the District are perfect for uses that cater to persons commuting from another community to work, take a college class and even shop for certain goods in Kingsburg.

From time to time, the uses listed in a zone district are modified in order to stay up with changing conditions. Old land use terms are deleted (e.g. typewriter repair and drop forges), new land use terms are added (e.g. convenience stores, cell towers and call centers) and some land use terms are renamed – soda fountains to ice cream parlors.

It is important that cities periodically review each zone district's permitted and conditional use lists. Changes in the economic, communication and traveling environment require cities to "stay up with the times," which means amending the Municipal Code from time to time.

The proposed new permitted uses for addition to Kingsburg's Highway Commercial District will position the City to potentially take advance of the changing conditions mentioned above and provide new businesses who are looking to locate in Kingsburg with additional location options.

# **BACKGROUND**

As with all other zone districts in the City, the Highway Commercial District has three use lists – permitted uses, permitted uses subject to administrative approval and conditional uses. Section 17.60.010 of the Municipal Code provides the Planning Commission with a process whereby the Planning Commission, by resolution, can be added new uses to any of the above lists. The Planning Commission is required to make certain findings prior to passing a resolution adding new uses to any of the lists. New uses are added to the permitted use list if the operation of the new use will not have an adverse impact on neighboring land uses in the district or the community as a whole. Such impacts might include large amounts of truck traffic, noise or odor. The uses that have the potential to create impacts (e.g. truck traffic, noise, etc.) will normally be placed under the conditional use list because it gives the Planning Commission the opportunity to apply conditions to the use in order to mitigate certain impacts. Compared with other permitted uses in the Highway Commercial District (public utility structures, services and facilities, service stations, used car sales, etc.) the proposed new permitted uses will not create any more impact on the neighboring land uses or the community as a whole than the existing permitted uses.

The proposed uses are similar in nature to uses already listed on the Highway Commercial District permitted use list.

Uses that are on the Highway Commercial District permitted use list are as follows: Ambulance service; Automobile sales, service and repair, including body and fender work; Automobile and farm equipment sales and supply stores; Automobile washing; Bars, cocktail lounges or night clubs; Boat sales and service: Bowling alleys; Bus depots and transit stations; Hotels and motels: Motorcycle sales, service and repair; Public utility structures, service and facilities, including gas and electrical distribution and transmission substations, gas regulator stations, public service pumping stations; Private clubs and lodges; Recreation vehicle sales and service: Repair garages; Restaurants, including drive-in restaurants; Service stations (gasoline, butane and diesel fuels only); Soda fountains: Used car sales;

Incidental and accessory structures and uses located on the same site as a permitted use;

Utility trailer sales, service and rental;

convenience stores and services for the highway traveler, only at locations close to highway intersections or freeway interchanges, including:

Barber and beauty shops;

Drug stores;

Food stores (under ten thousand (10,000) square feet in area), excluding supermarkets;

Gift shops;

Laundromats;

Liquor stores;

Offices providing financial lending services;

Offices and retail stores incidental to and on the same site with a highway commercial use;

Incidental and accessory structures and uses located on the same site as a permitted use.

## **CONCLUSION**

The uses proposed for the permitted use list for the Highway Commercial District – medical offices, call center, retail stores, colleges and trade schools – are uses that will generate traffic but because the location of this District is near State Highway 99 and access to the commercial sites is from off-ramps and arterial roadways, traffic generated by these new uses will not adversely impact the Highway Commercial District area.

Any new use proposed for this District requires the use to be processed through Kingsburg's site plan review process. With this process the design of the proposed project is reviewed by the building and planning department, engineering, police and fire department and Selma-Kingsburg-Fowler Sanitation District. Conditions are applied to the use to ensure that it is properly designed and served with infrastructure and vehicular access. Once site plan review has concluded the applicant is required to secure a building permit and comply with the site plan conditions. Construction of the building and off-site improvements is required to conform to various building, fire, ADA codes and city improvement standards.

Staff recommends the Planning Commission approve the attached Resolution approving proposed uses be added to the permitted use list of the Highway Commercial  $\underline{\underline{D}}$ istrict and make the findings set forth in the Resolution.

# **FINANCIAL INFORMATION**

# **FISCAL IMPACT**:

1. Is There A Fiscal Impact? NA
2. Is it Currently Budgeted? NA
3. If Budgeted, Which Line? NA

# **ATTACHMENTS**

Map of Highway Commercial Zone District Resolution

## **RESOLUTION NO. 19** -

# A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF KINGSBURG ADDING USES TO THE PERMITTED USE LIST OF THE HIGHWAY COMMERCIAL DISTRICT

WHEREAS, the Kingsburg Planning Commission did consider during its regular meeting on April 11, 2019, a request by the City of Kingsburg to add medical offices, call centers, retail stores, colleges and trade schools to the Permitted Use list of the Highway Commercial (HC) zone district, and

WHEREAS, the addition of medical offices, call centers, retail stores, colleges and trade schools to the Permitted Use list of the Highway Commercial zone district was processed consistent with Section 17.60.010 – Addition of permitted uses, of the Kingsburg Municipal Code, and

WHEREAS, the Kingsburg Planning Commission has determined that the addition of the aforementioned uses to the Permitted Use list of the Highway Commercial district is an administrative activity of the City of Kingsburg and will not result in direct or indirect physical changes in the environment and therefore Categorically Exempt under Section 15378 (b)(5), of the CEQA Guidelines, and

WHEREAS, the Planning Department has prepared a staff report on the addition of uses to the Permitted Use list of the Highway Commercial district and the Commission has reviewed the staff report prepared on this matter.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, after considering information provided in the staff report, determined the following information relevant in the Commission's consideration of adding the aforementioned uses as permitted uses in the Highway Commercial district.

1. The addition of medical offices, call centers, retail stores, colleges and trade schools to the Permitted Use list of the Highway Commercial district was processed consistent with Municipal Code Section 17.60.010 – Addition of permitted uses.

- 2. The proposed action of adding uses to the permitted use list of the Highway Commercial district is categorically exempt under CEQA.
- 3. The addition of medical offices, call centers, retail stores, colleges and trade schools to the Permitted Use list of the Highway Commercial district will position Kingsburg to take advantage of changing trends in the economic, communication and transportation environment and provide new businesses who are looking to locate in Kingsburg with additional location options.
- 4. The addition of said uses will not have an adverse impact on the public's health, safety or welfare.

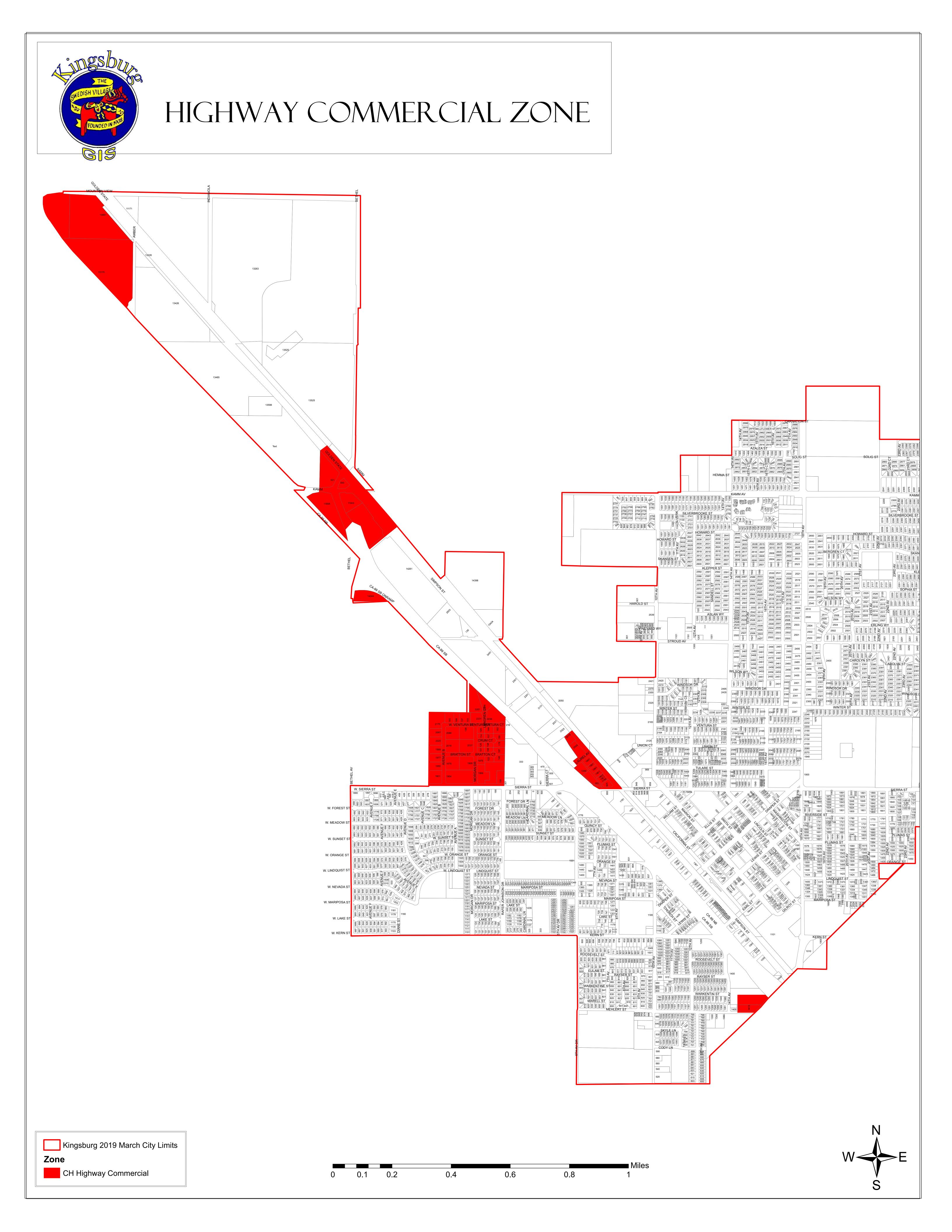
BE IT FURTHER RESOLVED that the Planning Commission hereby adds medical offices, call centers, retail stores, colleges and trade schools to the Permitted Use list of the Highway Commercial district and makes the following findings in accordance with Section 17.60.010 of the Municipal Code:

- 1. That the addition of the new uses to the list of permitted uses is in accordance with the purposes of the Highway Commercial district.
- 2. That the new uses have the same basic characteristics as the uses permitted in the Highway Commercial district.
- 3. That the new uses conform with the required conditions for the Highway Commercial district.
- 4. That the new uses are not be detrimental to the public health, safety or welfare, or adversely affect the character of the Highway Commercial district.
- 5. That the new uses will not create more vehicular traffic than the volume normally created by the uses permitted in the Highway Commercial district.
- 6. That the new uses will not create more odor, dirt, smoke, noise, vibration, illumination, glare, unsightliness or any other objectionable influence than the amount normally created by any of the other uses permitted in the Highway Commercial district.
- 7. That the new uses will not create any greater hazard of fire or explosion than the hazards normally created by any of the uses permitted in the Highway Commercial district.

The foregoing resc	olution was adopte	d upon a motion	of Commissioner	
, seco	nd by Commission	ner	_ at a regular meeting	of

the Kingsburg Planning Commission on the 11th day of April, 2019, by th following role call vote:	e
AYES: NOES: ABSTAIN: ABSENT:	

Secretary



To: Kingsburg Planning Commission From: Greg Collins, City Planner

Subject: Time Extension, Subdivision Tract Map No. 6167, West Star

Construction
Date: 4/11/19

#### Recommendation

That the Planning Commission pass Resolution 19 - approving an extension of time for Subdivision Tract Map No. 6167, West Star Construction. Staff recommends that said tentative subdivision map, approved in May 17, 2017, by the Kingsburg Planning Commission, be granted an extension of time as permitted by Section 66452.6 (e) of the State Subdivision Map Act, to 5/17/2020.

# History

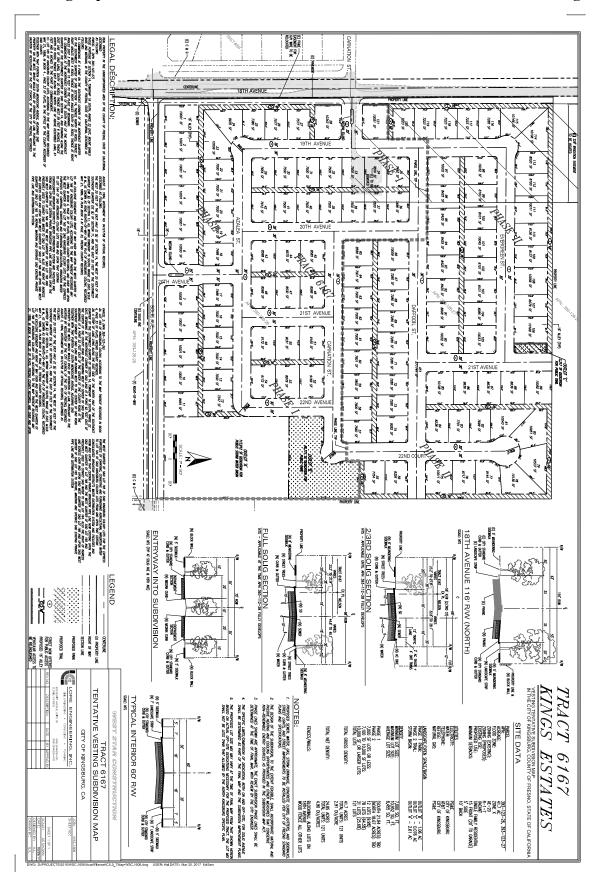
The Planning Commission held a public hearing on Subdivision Tract Map No. 6167, West Star Construction, on May 17, 2017, and approved said subdivision.

The proposed tract map was for 121 single-family residential lots and associated open space uses, on 41.7 acres located on the northeast corner of the Solig Avenue alignment and Mendocino Avenue in Kingsburg. The APNs for the subject property are 393-123-26 and 393-123-27.

The applicant has expressed interest in proceeding with a final subdivision map on the subject site; however, the applicant did not want to take a chance that the tentative map would lapse prior to the final map being recorded. Therefore, the applicant has requested an extension of time on the Subdivision No. 6167 to 5/17/20.

#### Conclusion

Staff recommends that the Planning Commission approve Resolution 2019 - extending the expiration date of the Subdivision Tract Map No. 6167, West Star Construction, to May 17, 2020, as per the State Subdivision Map Act.



## **RESOLUTION NO. 19-**

# BEFORE THE PLANNING COMMISSION CITY OF KINGSBURG, STATE OF CALIFORNIA

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF KINGSBURG EXTENDING THE TIME PERIOD FOR FILING A FINAL MAP FOR TENTATIVE SUBDIVISION MAP NO. 6167, WEST STAR CONSTRUCTION

WHEREAS, a tentative subdivision map extension request was filed by West Star Construction in April, 2019, and

WHEREAS, a tentative subdivision map for Tentative Tract Map No. 6167 was approved by the Kingsburg Planning Commission on May, 2017, and

WHEREAS, the State Subdivision Map Act, Section 66452.6 (a) indicates that a tentative map shall expire 24 months after its approval, and

WHEREAS, Section 66452.6 (e) of the Map Act allows the subdivider to request a time extension from the Planning Commission for the filing of a final map, and

WHEREAS, the Commission reviewed the staff report on this matter, and considered testimony for the granting of a time extension on said map.

NOW, THEREFORE BE IT RESOLVED that the Kingsburg Planning Commission hereby grants a time extension for the Tentative Tract Map No. 6167 for the filing of a final map to April 11, 2020.

The foregoing resolution was adopted upon a motion of Commis	sion member
, second by Commission member	at a regular
meeting of the City of Kingsburg Planning Commission on April	11, 2019, by the
following roll call vote:	
AYES:	
NOES:	
ABSTAIN:	
ABSENT:	
Secretary	



13837 S. Zediker, Kingsburg CA 93631

March 5th, 2019

City of Kingsburg Attn: Gregory Collins Planning Consultant 1401 Draper Street Kingsburg, Ca 93631

Mr. Collins,

This letter is to respectfully request an extension on Approved Vested Tentative Map #6167 currently holding awarded building allocations.

As your City records will show our vested tentative map was approved in May 2017. This extension will give the time to complete improvement drawings and present the quality project for our community.

Sincerely,

Sandra Staats West Star Construction

CC: Alexander Henderson, City Manager David Peters, Peters Engineering